



20
GODINA



CENTAR ZA
DEMOKRATSKU
TRANZICIJU

Assessment of Montenegro's
Progress in Meeting Political
Criteria in Negotiations with
the EU

Parliament of Montenegro - Hindering or giving momentum to reforms and European integration?

Authors:
Milena Gvozdenović
Biljana Papović

B | T | D The Balkan Trust
for Democracy
A PROJECT OF THE GERMAN MARSHALL FUND

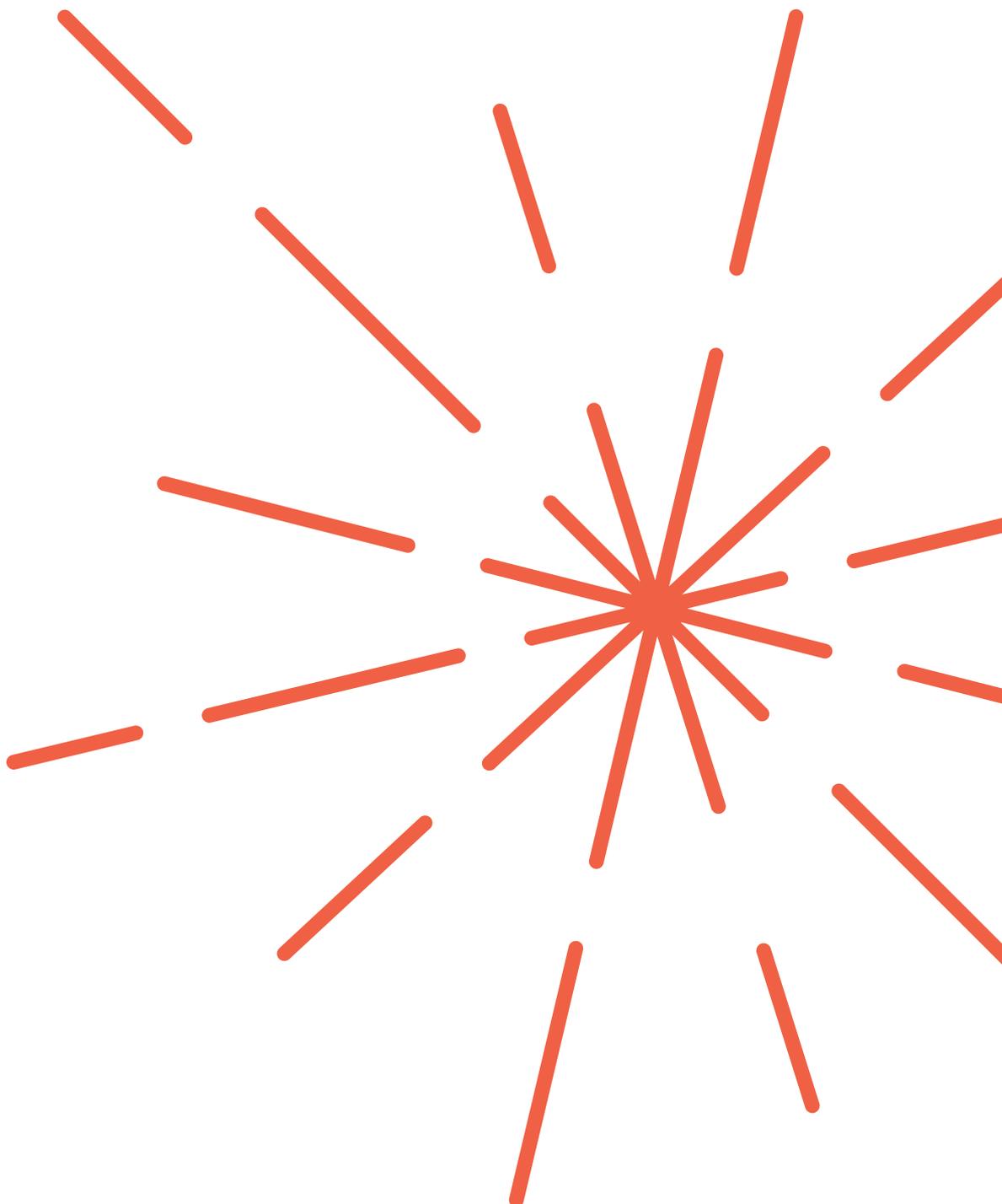


Norwegian Embassy

Belgrade

This publication is part of the project “Montenegro’s accession to the European Union: Application of political criteria” funded by the Royal Norwegian Embassy in Belgrade, the Balkan Trust for Democracy and the German Marshall Fund of the United States.

The opinions expressed in this publication do not necessarily reflect the views of the Royal Norwegian Embassy, the Balkan Trust for Democracy, the German Marshall Fund of the United States or their partners.



**Parliament of
Montenegro
- Hindering or giving
momentum to reforms
and European integration?**

Authors:
**Milena Gvozdenović
Biljana Papović**

**Podgorica,
March 2021.**

Introduction

After a long period of stagnation, the Parliament of Montenegro was given an opportunity to take a more active role in fulfilling its part of conditions for membership in the European Union (EU). Political changes that have taken place are an opportunity to greatly enhance parliamentary openness, increase the quality of the legislative process, improve its oversight function and launch a political dialog meant to unblock important reform processes.

The new convocation of the parliament took an important step forward by setting up a working group for drafting the Law on Parliament. At last, this act is to legally and systematically regulate the balance between institutions of legislative, executive and judicial powers, which is a precondition for the democratic functioning of society.

Additionally, the parliament has effectively renewed and developed openness policies in a short time frame, by using old and creating new practices to increase transparency and communication with citizens.

On the one hand, the legislative process has undergone positive changes through a greater initiative of MPs in proposing laws, but on the other hand, it is hampered by discord within the ruling majority. The adoption of certain laws is conditioned by other pieces of legislation, which is why very few laws have been adopted after the election of the new government.

Adoption of systemic laws through an expedited procedure, without consulting the public, has marked the work of the current convocation thus far. Also, the government and the parliament negotiate and agree on the content of laws before they are to be proposed by MPs, thus introducing the practice of “avoiding” public discussion, which has a negative impact on the transparency and inclusiveness of the legislative process.

Parliamentary oversight is being improved through strengthened control procedures, but the quality of parliamentary activities, i.e. concrete steps taken following the control, is still questionable.

The key question remains whether the parliament will build the capacity to conduct a dialog as a way to address issues that require a qualified majority. In this regard, the establishment of the committee for electoral legislation reform serves as an encouragement, but it is indicative that the parliament’s work plan does not envisage similar initiatives for launching a dialog on the election of the Supreme State Prosecutor (VDT), members of the Judicial Council (SS) and Constitutional Court (US) judges.

These are some of the key “critical points” for meeting the political criteria for strengthening the parliament. We believe that without progress in these areas, there will be no fulfillment of this demanding criterion.

Center for Democratic Transition (CDT) will continue to monitor and evaluate progress in this important area. New political circumstances open up space for potential unblocking of important reform processes within the parliament itself.

During the preparation of this analysis, we consulted local experts, who rated

the work of the parliament with an average score of 2.6 on a 1-5 scale. This means that the parliament still has to put in a lot of hard work to achieve the desired goal.

New convocation, new opportunity, new challenges

The 26th Convocation of the Parliament was constituted following 2016 elections. The Democratic Party of Socialists (DPS) won most seats - 36, followed by the Democratic Front (DF) - 18, a coalition of Demos, the Socialist People's Party (SNP) and the United Reform Action (URA) - nine, Democratic Montenegro (Democrats) - eight seats. The Social Democratic Party (SDP) won four seats, the Social Democrats (SD) and the Bosniak Party won two seats each, while the Croatian Civic Initiative (HGI) and the electoral list made up of Albanian parties FORCA-DUA-AA, i.e. the coalition "Albanians resolutely", won one seat each. There were 24 female MPs (out of overall 81 MPs) in this convocation.

Parliamentary elections held in August 2020 were the first-ever elections whose results were accepted by all election participants. The constitutive session of the 27th Convocation of the Parliament was held in September, and the leader of Democratic Montenegro, Aleksa Bečić, was elected Parliament Speaker.

The DPS is the party with most MPs - 30. The DF has 27 MPs, the "Peace is our nation" coalition has ten MPs and the "Black on White" coalition has four MPs. These parties make up the new ruling majority. The traditional coalition partners of the DPS, the SD and the Bosniak Party have three MPs each, while the Albanian List and the Albanian Coalition "Unanimously" have one MP each. The SDP has two MPs. The Croatian minority won no seats in this convocation of the parliament.

There is only one-quarter of female MPs holding seats in the parliament, which is far below the European standard. Amendments to the Rules of Procedure introduced the requirement that at least one vice-president of the parliament be a representative of the underrepresented gender, with one MP coming from the ranks of minority parties. This is the first-ever convocation that elected a woman as vice-president of the parliament. In March of this year, the Women's Club was set up¹ which gathers all female MPs from all parties.

¹ "Signing the agreement on the establishment of the Women's Club", Parliament of Montenegro. Available at: <https://www.skupstina.me/me/clanci/potpisivanje-sporazuma-o-osnivanju-zenskog-kluba-2>. Accessed on: 31.03.2021.

According to the data available on Parliament website, the Parliament of Montenegro has 191 employees.² The President of the Parliament has emphasized that there will be no political revanchism in the parliament, but also that it is necessary to create equal conditions for all.³ This incumbency is facing several key tasks, whose implementation should significantly contribute to meeting the political requirements of EU accession process.

First of all, it is necessary to systematically contribute to an improved balance between the three branches of government. The executive branch has been retaining dominance over the parliament and the judiciary for years. Political parties and other interest groups were at the top of this unconstitutional pyramid of power and their political influence has been a barrier to an effective creation of institutions of integrity and credibility and the strengthening of a professional public administration.⁴

In the first six months of the new convocation, a very important step towards this goal has been taken through the establishment of a working group for drafting the Law on Parliament, which is to finally start filling what we believe to be deliberate systemic gaps that have been in place in the previous period. It has been 15 years after the restoration of state independence, and yet there are no laws on parliament and government in our system, while there are laws such as the Law on President of Montenegro, the Law on Local Self-Government and laws regulating the judicial branch of government.

The new convocation of the parliament has taken steps towards strengthening the role of the parliament through amendments to the Rules of Procedure of the Parliament, adoption of the Action Plan for strengthening its legislative and oversight role and implementation of activities that increase transparency of decision-making.

Can the legislative process be more transparent and more efficient at the same time?

The work of the previous convocation of parliament (2016-2020) was largely characterized by either complete or partial boycott by parliamentary opposition representatives throughout the mandate. Also, in the previous convocation of the parliament, just as in several previous convocations, it was mostly the government proposing new laws, and the majority of the adopted amendments were coming from parliamentary majority.

Due to the absence of the opposition, but also the attitude of the parliamentary majority towards government's proposals, an unchecked adoption of

2 List of public servants and state employees of Montenegro with job titles and contacts. Available at: <https://www.skupstina.me/me/gradjani/slobodan-pristup-informacijama/otvoreni-podaci>. Accessed on: 31.03.2021.

3 TV show "Načisto" on Vijesti Television aired on 19.11. 2020.

4 Dragan Koprivica, Milica Kovačević, *Democracy without institutions vol.2*, Center for Democratic Transition, 2020.

proposals coming from the executive branch practically became a common practice, thereby reducing the function of the parliament to a mere “verification” of laws, while proposals or amendments coming from opposition ranks would usually get rejected automatically. Parliamentary debates were reduced to a minimum and often resembled expedited procedures for passing laws. Given the lack of critical review of the provisions proposed, the already weak parliamentary culture was further disrupted and the country’s key issues were discussed anywhere except in the parliament.

For example, due to the opposition boycott, the Law on Ratification of the North Atlantic Treaty was adopted without a prior parliamentary debate in 2017, although the issue of NATO membership was dominating the political discourse at the time. In the same year, amendments to the Law on Free Access to Information “slipped below the radar” due to the absence of the opposition, and a sharp public reaction ensued. Many other laws sparked controversies as well, such as amendments to the Law on Social and Child Protection, the Law on Spatial Planning and Construction of Facilities and others. However, the Law on Freedom of Religion or Belief and Legal Status of Religious Communities and the Law on Investing in Consolidation and Development of Montenegro Airlines, both adopted in late 2019, were particularly challenged and further deepened the political crisis and set in motion new processes in the country.

The work of the previous convocations of the parliament gave rise to perceptions of executive branch as being subordinated; on the other hand, the introduction of somewhat “untouchable” parliament decisions that were impervious to judicial review was another cause for concern. Many decisions adopted by the Parliament of Montenegro on appointments and dismissals have been publicly criticized⁵ However, according to the legal position of principle of the Supreme Court, no administrative or civil proceedings can be brought against decisions of the parliament. This legal position came under criticism by the domestic and international public, as the ultimate intention was to eliminate legal protection against cases of dismissal of opponents of the former ruling coalition from state bodies and councils.⁶ As a result, judges would, at times, rule differently in the same matter.⁷ The Supreme Court maintained that regular courts could not review parliamentary decisions⁸ which can cause legal uncertainty in the long run and have a significant negative effect on the system that is expected to enable all three branches to mutually control each other.

During the 26th convocation of the parliament, a total of 377 laws were passed, 217 of which were laws on amendments. As many as 91% of the adopted laws were proposed by the government, while 9% i.e. 34 laws were proposed by MPs.

5 Decisions of the Parliament on dismissal of Irena Radović (CBCG), Nikola Vukčević (RTCG Council), Vanja Čalović Marković (ASK Council), Darko Ivanović (AEM Council)

6 Biljana Papović, *Judiciary in the shadow of consecutive mandates*, Center for Democratic Transition, 2020.

7 Marija Mirjačić, “Rule of law more important than the opinion of Vesna Medenica”, *Vijesti online*, 28.09.2019. Available at: <https://www.vijesti.me/vijesti/ekonomija/402796/vladavina-prava-vaznja-od-misljenja-vesne-medenice>. Accessed on: 31.03.2021.

8 Danilo Ajković, “The Supreme Court maintains that regular courts cannot review parliamentary decisions”, *Vijesti online*, 04.01.2021. Available at: <https://www.vijesti.me/tv/emisije/500625/vrhovni-sud-ostao-pri-stavu-da-redovni-sudovi-ne-mogu-da-preispituju-odluke-skupstine>. Accessed on: 31.03.2021.

The new convocation of the parliament also introduced new rules of conduct for MPs and a different approach to legislative initiative. First of all, there has been a significant increase in the legislative activity of MPs. On the one hand, this may be ascribed to an increased need of MPs to participate in the legislative process and the numerous pieces of legislation that previous convocations failed to table and adopt, given that proposals coming from opposition MPs would not get passed in the parliament. On the other hand, the uncommon practice whereby the parliamentary majority and the government agree on legal texts before they reach parliament procedure, and the fact that the parliament has been proposing laws, instead of the government, as per the usual procedure, also contributed to MPs getting more involved in the legislative arena. A major part of the professional public labels this phenomenon as the non-transparency of the government, i.e. as their way of avoiding public debate before laws reach the parliament. Also, another major feature of the work performed by the current convocation thus far is the significantly reduced scope of legislative activity, i.e. the fact that many law proposals are “pending” because part of the parliamentary majority refuses to vote for proposed laws before the laws that they deem to be more important are passed.

In addition, the current convocation of the parliament has so far been adopting systemic laws through an expedited procedure, without consulting the public. Once we consider the fact that some of the key legal texts did not undergo public discussion before being sent to parliament, it becomes clear that this way of designing state policies is not typical of open democratic societies because, apart from the civil sector, academia and professional associations, such process also excludes official consultations with the international community, so laws are passed without prior opinion of relevant international institutions.

The 27th Convocation of the Parliament adopted seven laws on amendments to laws.⁹ Four laws were proposed by the government, and the remaining three by MPs. The government did not conduct a public discussion on the Proposed Law on Amendments to the Law on Freedom of Religion or Belief and the Legal Status of Religious Communities. The laws that were adopted on the proposal of MPs were not considered at high-quality and comprehensive public discussions.

Following closed consultations between the government and the parliament and without holding public discussions, MPs also proposed the Proposal for the Law on Amendments to the Law on State Prosecutor’s Office and Proposal for the Law on Prosecutor’s Office for Organized Crime and Corruption. A sharp reaction from the international community, domestic civil society and opposition parties ensued, because even the most important institution - the Venice Commission - was not consulted in the process. The passing of these laws was put on hold until a compromise is reached following remarks of the Venice Commission, but this also stopped the legislative process in the parliament altogether. A part of the ruling coalition linked to the DF conditioned further legislative activity with the adoption of prosecutorial laws. Due to this political divergence amid the ruling coalition, over 30 laws pro-

9 In the period between the election of the government and March 31, 2021.

posed by the government and MPs of this convocation were still “pending” in late March.

If this delay in legislative activity is not removed as a matter of urgency, it might have very negative effects on the further development and functioning of the parliament, but also on meeting the political criteria for EU membership.

Does the Parliament have the power to effectively control the Government?

Formally, the Parliament of Montenegro has solid mechanisms for exercising its oversight role, but this does not amount to concrete outcomes in practice. The parliament’s oversight function was for the most part applied only formally, and given the either partial or complete opposition’s boycott that marked the previous convocation, parliamentary oversight delivered no results at all.

In performing their oversight function, parliamentary committees may organize parliamentary hearings and investigations. Official statistics on the use of these mechanisms best indicate how subordinate the role of parliament in the previous convocation was to the activities and actions of the government. Despite a series of assessments by domestic and international partners about the concerning level of corruption in the country, the risks of rising public debt, delays in judicial reform and many other issues, the parliament has not used its powers to reconsider the role of government in these processes. For example, this was the case with the outbreak of the coronavirus pandemic, when the European Commission pointed out that the role of the parliament in overseeing the government response to the pandemic was marginal.¹⁰

In the four years of its mandate, the previous convocation held only 13 oversight hearings and 128 consultative hearings. Only six committees organized oversight hearings, while the remaining nine working bodies did not once use the opportunity to apply this mechanism for overseeing the authorities’ implementation of policies and activities in the country.

Even where oversight hearings were held, they did not result in concrete activities to improve the situation. There was no practice of writing reports or conclusions following consultative hearings, nor was it prescribed by the Rules of Procedure. In its report on Montenegro, the European Commission stated that a uniform and effective system for monitoring the implementation of conclusions and recommendations adopted at oversight hearings is yet to be developed.¹¹

The previous convocation did not launch a single parliamentary inquiry, nor is this mechanism popular in the work of the Parliament of Montenegro. In 2020, MPs demanded the launching of a parliamentary inquiry and the set-

10 European Commission, Montenegro 2020 Progress Report.

11 Ibid.

up of an inquiry committee into the “Možura” affair¹² but this request did not make it to agenda. It is clear that MPs of parliamentary majority were avoiding to utilize the most important democratic instruments to probe the political or other responsibility of the executive branch.

MPs most often used parliamentary questions so as to obtain information on the work of the government. There was a total of 1,178 questions during Prime Minister’s Question Time and parliamentary sessions. MPs addressed 142 questions to prime minister and 1,036 questions to members of the government. Fewest questions were asked in 2017, (205), while most questions were recorded in 2019 (408).

Motion of no confidence was not raised in the previous convocation.

The interpellation for examining specific government matters is yet another mechanism that MPs do not use regularly in fulfilling their oversight role over the work of the executive branch. The parliament is not welcoming to requests for interpellation, which demotivates MPs from attempting to use this mechanism to debate specific issues. In the previous convocation, no interpellation was considered as there was no agreement between government and opposition MPs. In 2019, MPs rejected a request for interpellation meant to probe the work of Deputy Prime Minister for Political System and Justice Zoran Pažin. Also, the parliament was not deciding on initiating an Interpellation for reviewing the policy of the Government of Montenegro in the area of healthcare and the Interpellation on reviewing the policy of the Government in the area of political system and judiciary, triggered by an unconstitutional proposal to extend mandate to Judicial Council, as well as by other decisions that caused a catastrophic situation in key judicial and prosecutorial institutions in the country and led to their collapse, because DPS MPs asked that interpellation requests be left out of the agenda for a parliament session held in late 2019.¹³

The role of parliament in the process of drafting and implementing state budget also remains questionable. International transparency standard requires that government’s draft budget be submitted to parliament at least three months prior to the start of the fiscal year so as to allow parliament to review it properly¹⁴, however, in practice so far, we have been a far cry from this threshold. Parliament was not recognized for its active role in controlling government spending. MPs were not provided with information on budget execution during the fiscal year, nor did they request such a report from the Ministry of Finance and the Government.

12 Proposal of Decision on opening Parliamentary inquiry and establishing an Inquiry Committee to gather information and facts on events related to the work of state bodies in reference to claims of endemic corruption in Montenegro, following publication of information pertaining to the rule of law in Montenegro, after recent discoveries in the case of murder of journalist Daphne Caruana Galizia and her investigation into the lease, construction and operation of the “Možura” Wind Farm. Available at: <https://zakoni.skupstina.me/zakoni/web/app.php/akt/2320>. Accessed on: 31.03.2021.

13 Minutes from the Ninth Sitting of the Second Ordinary (Autumn) Session in 2019 of the 26th Convocation of Parliament of Montenegro, held on 24, 26 and 27 December 2019. Available at: <https://zakoni.skupstina.me/zakoni/web/dokumenta/sjednice-skupstine/205/3380-.pdf>. Accessed on: 31.03.2021.

14 OECD Best Practices for Budget Transparency, 2002.

The adoption of the Law on Parliament should greatly contribute to strengthening the control and oversight role of the new parliament. Its adoption was announced several times and was then set as the top priority measure in the new Action Plan of the Parliament. It will be necessary for this law to regulate the relationship between the parliament and other branches of government, but also to reconsider requirements for initiating oversight mechanisms in order to motivate MPs to apply them.

The new convocation initiated amendments to the Rules of Procedure as an attempt to improve the oversight role of parliament. The amendments increased the number of control hearings, introduced the institute of topic-specific parliamentary questions and established the obligation for ministers to be present at sessions tabling draft laws within the competence of their ministries. Also, amendments envisage the obligation to compile reports with assessments and views on the consultative hearings conducted, which are then to be submitted to competent institutions tasked with their implementation, as well as the obligation to overview the implementation of conclusions reached by the parliament in the course of control hearings.

Although this creates preconditions for reaffirming the oversight role of the parliament, the question remains how active and efficient MPs will be in their implementation. Political cards are currently reshuffled and MPs no longer have their party colleagues sitting in the government, which opens up new possibilities for strengthening the oversight role of the parliament over the executive branch. In the work of the Parliament so far, we witnessed a positive example of heads of all MP groups sending a joint request to the government.¹⁵ However, there was also an example of a minister refusing to answer MPs' questions during the session of the Parliamentary Committee tabling the Law on Freedom of Religion¹⁶ which is not a proper democratic behavior. MPs are increasingly active in overseeing and commenting on the activities of the government even outside the parliament building, and they are informing the public through media and social networks.

So far, the new convocation¹⁷ held two consultative hearings at sessions of the Committee on Health, Labor and Social Welfare¹⁸ and Committee on Political System, Judiciary and Administration¹⁹. Also, four control hearings were held, three of which at sessions of the Security and Defense Committee²⁰

15 "All parliamentary clubs want Krivokapić to deliver documentation about bond issue", *CdM*, 10.12.2020. Available at: <https://www.cdm.me/politika/svi-poslanicki-klubovi-traze-od-krivokapica-da-dostavi-dokumentaciju-o-emitovanju-obveznica/>. Accessed on: 31.03.2021.

16 Željka Vučinić, "Leposavić was not answering MP questions, a sharp reaction from the opposition", *Vijesti online*, 25.12.2020. Available at: <https://www.vijesti.me/vijesti/politika/497985/odbijen-predlog-popovica-da-se-sa-dnevnog-reda-povukuizmjene-i-dopune-zakona-o-slobodi-vjeroispovijesti>. Accessed on: 31.03.2021.

17 In the period between the election of the government and March 31, 2021.

18 Consultative hearing into Minister of Health Jelena Borovinić Bojović on the topic: "Considering epidemiological situation and reflecting on current measures envisaged for upcoming holidays".

19 Consultative hearing of candidates from the list of candidates that meet the legally prescribed conditions for election to the position of Supreme State Prosecutor.

20 KControl hearing into Active Head of the holidays " National Security Agency Dejan Vukšić on the topic: "The work of NSA in light of respect for guaranteed constitutional and legal rights", Control hearing into Deputy Prime Minister of Montenegro Dr Dritan Abazović regarding media allegations about Stevan Simijanović, Control hearing of Deputy Prime Minister of Montenegro Dr Dritan Abazović and Acting Head of the National Security Agency Dejan Vukšić in connection with a possible violation of the Law on Classified Information.

which decided not to propose conclusions to the parliament. The third control hearing was held by the Committee on Economy, Finance and Budget.²¹

The first Prime Minister’s Question Time in the mandate of the new convocation was held on 25 March. Nine questions were addressed to the prime minister, while 56 MPs asked 105 questions to members of the government. MPs were mostly interested in activities within the purview of the Ministry of Finance and Social Welfare, and the line minister was asked one-fifth of the total number of questions. The opposition DPS MPs asked most questions.

What is the purpose of parliamentary openness?

The parliamentary crisis that marked the previous convocation also had a negative impact on the parliamentary function of representation. CDT’s research on parliamentary openness in the Western Balkans region have shown that the Parliament of Montenegro is losing regional leadership position in the realm of openness and transparency. Stagnation or even abandonment of some good practices of parliamentary transparency have been noticed, and political differences between the government and the opposition have marginalized the parliament that should otherwise be a center stage for deliberating and discussing issues of public interest. The parliament did not respond by developing its policies and practices in the area of openness, transparency and accessibility, which further degraded its representative function.

The CDT 2020 Research²² has shown that the Parliament of Montenegro largely meets the criteria for proactive transparency by publishing of a set of data and information as required by the Law on Free Access to Information. However, it has not ensured a full transparency of the decision-making system. The parliament was not sufficiently committed to building public relations and the lack of a strategic program and mechanisms for direct communication has created greater distance between the parliament and citizens and their needs. In order to be able to propose laws, MPs need to be backed by six thousand voters, which is quite demanding, given that this is almost the only way to directly call on MPs to advocate particular issues on behalf of their constituents i.e. citizens that elected them. There is still no alternative method of facilitating citizens’ participation in the legislative process, for example by enabling citizens to directly submit petitions and initiatives to the parliament.

.....
21 Control hearing into Minister of Finance and Social Welfare Milojko Spajić in connection with the recent government borrowing in the amount of 750 million euros through issuance of Eurobonds on the international market.

22 Biljana Papović, Milena Gvozdenović, *Parliament openness in the region and Montenegro*, Center for Democratic Transition, 2020.

The new convocation has already achieved significant progress in terms of openness and transparency of the work of the parliament, and it took on board numerous proposals that the CDT has been advocating over the years, based on international standards and comparative parliamentary practice, which speaks volumes about of the openness of the parliament to non-governmental sector initiatives.²³

Introducing the live broadcast of sessions of parliamentary working bodies and setting up official Parliament social media accounts were the first significant steps towards bringing the work of the parliament closer to its citizens and hearing out their needs. The Parliamentary Channel was launched²⁴ for broadcasting plenary sessions and sessions of parliamentary committees. Also, a new Parliament website was designed, which, among other things, features Parliament's official "YouTube" channel and a system for audio recording of proceedings²⁵, while a separate open data portal is also in store. Also, the new website of the parliament features a segment for electronic submission of citizen petitions.²⁶ In addition, the parliament restored the good practice of publishing semi-annual reports on its work and the funds spent.

The parliament has also undertaken activities to strengthen cooperation with the civil sector, by organizing numerous meetings and promoting the template²⁷ for CSOs to submit their opinions to parliamentary working bodies. Amendments to the Rules of Procedure introduce the possibility for representatives of non-governmental organizations to participate in the work of parliamentary committees upon request. The parliament would greatly benefit from genuinely involving the civil sector in its work, given the numerous complicated processes that this convocation will be facing. Also, it is important that citizens are informed about the activities of the parliament and MPs and have adequate mechanisms for communication available, but it is equally important that citizens' proposals are really heard and taken on board and that the i.e., parliament's approach to citizen participation in policymaking is carefully monitored. The coming months will show whether this will be the case.

Can parliamentary culture and ethics be restored?

The previous convocation was largely marked by promoting verbal and physical violence as an important "parliamentary" instrument for MPs to position

.....
23 This segment of the work of the parliament will be elaborated in more detail in a separate CDT analysis.

24 More at: <https://www.skupstina.me/me/clanci/parlamentarni-kanal>. Accessed on: 31.03.2021.

25 More at: <https://www.skupstina.me/me/clanci/skupstina-dostupna-na-novoj-internet-presentationi>. Accessed on: 31.03.2021.

26 More at: <https://www.skupstina.me/me/gradjani/predstavke>. Accessed on: 31.03.2021.

27 More at: <https://www.skupstina.me/me/gradjani/saradnja-sa-civilnim-sektorom>. Accessed on: 31.03.2021.

themselves better and get better ratings.

Although the Parliament of Montenegro once used to set a good example in the region in terms of mutual respect between MPs, things have changed significantly over time.

In the period before and after the 2016 parliamentary elections, incidents in the parliament were becoming commonplace, and more conscientious MPs and members of in-house security services or police would often step in as “mediators” in parliamentary “dialog”. A new parliamentary practice was established where MPs were exchanging insults instead of arguments when debating issues of public interest, and parliament benches were increasingly resembling pre-election rallies podiums.

The ruling majority was responding to violence with violence, so arrests, prevention of arrests, MPs locking themselves in parliament premises, fines, and even prison sentences were a customary thing in parliamentary life of the 26th convocation.

The Rules of Procedure of the Parliament of Montenegro provided for fines for MPs in breach of order at parliament sessions. The 2019 amendments to the Rules of Procedure also provided for imposing fines on MPs in the event of their unjustified absence from sessions of the parliament and its working bodies. The opposition interpreted the decision to thus amend the Rules of Procedure as an attempt to discipline MPs that were boycotting activities of the parliament at the time. This measure could not compensate for the lack of personal and political culture and did not motivate MPs to change their behavior. In July 2019, the parliament adopted a new Code of Ethics for MPs. The change of government also brought about a change in the work atmosphere of the new convocation. Tensions have subsided significantly, with a significantly higher quality of communication. However, there were some tense discussions with the new convocation as well, and one MP was removed from a session due to inappropriate behavior.

Amendments to the Rules of Procedure introduced in late 2020 deleted provisions prescribing fines for MPs. It seems that the emphasis has been rightfully placed on changing the parliamentary culture, rather than imposing fines as a way of achieving it.

About the research

The research on the progress of Montenegro in meeting the political criteria for accession to the European Union (EU) is conducted with financial support from the Balkan Trust for Democracy (BTD) and the Royal Norwegian Embassy in Belgrade. A set of indicators is used to examine the quality of the strategic and legal framework, institutional and financial capacity, as well as the results achieved in seven areas: elections, judiciary, fight against corruption and organized crime, media, public administration reform and parliament. All the areas are elaborated in a topic per document model. Our analyses contain assessments of the fulfillment of the criteria that we have come up with by summarizing and articulating the views and evaluations of experts

monitoring the quality of implementation of EU standards, as well as by analyzing the implemented normative and institutional reforms and their practical results. The second part of the research tackles the quality of work of the parliament. We have been evaluating this area as based on 29 indicators. We remain open to all suggestions, well-intentioned criticisms and discussions that may arise from our research. We are also ready to offer concrete solutions to all the issues we have labeled as problematic and thus contribute to reform process. We would like to express our appreciation to the Balkan Trust for Democracy and the Royal Norwegian Embassy for their trust and financial support.



20:1
GODINA



CENTAR ZA
DEMOKRATSKU
TRANZICIJU

Moskovska 153, 81000 Podgorica, Montenegro
cdt@cdtmn.org | www.cdtmn.org